

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BARBARA CASERO, As Personal	)	
Representative of the Estate of	)	
YLDELISA CALVO DORNHECKER;	)	Civil Action No 04-221 GMS
BARBARA CASERO, Individually; MARIO	)	
CALVO, Individually; and YLDELISA CALVO,	)	TRIAL BY JURY DEMANDED
Individually,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
JOSEPH V. LAMBERT, Individually;	)	
and CAR RENTALS, INC.	)	
	)	
Defendants.	)	

**JOINT MOTION TO EXTEND DISCOVERY DEADLINES**

Plaintiffs Barbara Casero, as Personal Representative of the Estate of Yldelisa Calvo Dornhecker; Barbara Casero, Individually; Mario Calvo, Individually; and Yldelisa Calvo, Individually; and defendants Joseph V. Lambert and Car Rentals, Inc., by and through counsel, jointly move this Court, pursuant to Federal Rule of Civil Procedure 16.5, to enter an order granting their joint motion to extend discovery deadlines. In support hereof, the parties represent the following:

1. This is a wrongful death action. On July 25, 2005, the Court held a scheduling conference and set a Rule 16 Scheduling Order in this matter. According to the scheduling order, the discovery cut-off date is Wednesday, November 30, 2005. Mediation is scheduled for January 6, 2006. A three-day trial is scheduled to begin on April 17, 2006.

2. The parties have been engaged in discovery for several months, but to date discovery has not been completed. There has been some difficulty locating the decedent's financial records. Also, plaintiffs and their lead counsel all reside in Miami, Florida, which was

struck by a severe hurricane at the end of October. Plaintiffs' counsel was without power for several weeks and was unable to contact his clients. Consequently, little discovery took place in November. As discussed during the scheduling conference, defendant Lambert has admitted liability, and the parties are diligently working towards finalizing damages discovery.

3. The parties jointly request that the Court enter a new scheduling order which will extend the discovery deadline to December 31, 2005. The parties do not seek an extension of the trial date, and intend to proceed with mediation on January 6, 2006. A proposed scheduling order is attached hereto as Exhibit "A." Counsel are available should the Court require any additional information.

4. Wherefore, the parties respectfully request that the Court grant their joint motion to extend the discovery deadlines, and enter a new scheduling order in the form attached hereto.

Respectfully submitted,

HUDSON JONES JAYWORK & FISHER

/s/ Ronald D. Smith

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*Attorneys for Defendants*

Dated: November 29, 2005

So Ordered:

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The Honorable Gregory M. Sleet